

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Stephen M. Feck,
Plaintiff

v.

Case No. 1:08-cv-720

Dia Sekou Mari-Jata, et al.,
Defendants

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed March 16, 2009 (Doc. 7).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. The United States of America's motion to dismiss is **GRANTED**. Plaintiff's request for a remand to state court is **DENIED**.

This action is closed.

Date: April 6, 2009

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court